

## UNITED STATES DISTRICT COURT

for the

District of Minnesota

UNITED STATES OF AMERICA

v.

ISABEL GARCIA PEREZ

Case No. 14-MJ-957 (JSM)

## CRIMINAL COMPLAINT

I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or about April 10, 2014, in Renville County, in the State and District of Minnesota, defendant

in a matter within the jurisdiction of the United States Social Security Administration, for the purpose of obtaining something of value and for other purposes, knowingly, and with the intent to deceive, falsely represented in a Minnesota Department of Vehicle Services Identification Card Application his Social Security account number to be xxx-xx-6571, when in fact, as defendant well knew, Social Security account number xxx-xx-6571 was not assigned to defendant,

in violation of Title 42, United States Code, Section 408(a)(7).

I further state that I am a Border Patrol Agent and that this complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

  
Complainant's signature

Steven Sullivan, Border Patrol Agent  
Printed name and title

Sworn to before me and signed in my presence.

Date:

11/5/14

  
Judge's signature

The Honorable Janie S. Mayeron,  
U.S. Magistrate Judge

Printed name and title

City and state: Minneapolis, MN

SCANNED

NOV - 6 2014

U.S. DISTRICT COURT MPLS

STATE OF MINNESOTA )  
 )  
COUNTY OF HENNEPIN)

14-MJ-957 (JSM)  
SS: AFFIDAVIT OF STEVEN A. SULLIVAN

I, Steven A. Sullivan, being of lawful age and duly sworn, depose and state:

1. I am a United States Border Patrol Agent with the United States Border Patrol (USBP), Minneapolis, Minnesota, with approximately sixteen years of combined experience as a Border Patrol Agent and as a permanent task force officer with Homeland Security Investigations (HSI), St. Paul, MN.

2. I graduated from the United States Border Patrol Academy at the Federal Law Enforcement Training Center (FLETC) in Glynco, Georgia. I hold a bachelor's degree in Political Science from Texas A&M University, College Station, Texas. I am a permanent member of the Department of Homeland Security (DHS) Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI), Document and Benefit Fraud Task Force (DBFTF). In that capacity, I have attended and completed the ICE Immigration and Benefit Fraud Training Program. I have previously investigated persons for violations of 8 U.S.C. § 1324 and 1324a (Unlawful Employment/Alien Smuggling /Illegal Harboring), 8 U.S.C. § 1325 (Marriage Fraud/Illegal Entry), 18 U.S.C. § 1546 (Visa Fraud), 18 U.S.C. § 1028 (Identity Theft), and other federal violations.

3. The following information has been related to me by HSI agents and other persons, is based on training, experience, and review of official reports, or is known to me by personal observations. Because this affidavit is being submitted solely for the purpose of establishing probable cause, it does not contain all the facts and circumstances pertaining to this investigation.

4. This affidavit is submitted for the limited purpose of establishing probable cause in support of the attached criminal complaint against and arrest warrant for Isabel Garcia PEREZ, for violation of 42 U.S.C. § 408(a)(7)(B) (Social Security Fraud) and therefore contains only a summary of the relevant facts.

5. I know that it is a violation of 42 U.S.C. § 408(a)(7)(B) for any person, with intent to deceive, and for any purpose, to falsely represent a number to be the social security account number assigned by the Commissioner of Social Security to him, when in fact such number is not the social security account number assigned by the Commissioner of Social Security to him.

6. I have identified R.T.S. as a victim of identity theft whose social security number has been used in Minnesota by PEREZ. PEREZ used the identity of R.T.S. to work at Triple J Family Farms (TJFF) located in Buffalo Lake, MN.

7. Since March 2014, HSI has been investigating TJFF, based on information received via the DHS-2-ICE tip line that alleged that TJFF employs 90-100 illegal aliens at its Buffalo Lake, MN plant.

8. On April 10, 2014, PEREZ, using the name R.T.S., applied for a Minnesota state identification card. R.T.S.'s name is handwritten on the DVS application,<sup>1</sup> along with date of birth of \*\*-\*-1990, and Social Security number \*\*\*-\*-6571. As documentation for this DVS application, PEREZ provided copies of a Social Security card bearing the name R.T.S. and the number \*\*\*-\*-6571, and a New Mexico birth

---

<sup>1</sup> R.T.S.'s name is misspelled on the DVS application; his last name is spelled beginning with a "C" instead of an "S."

certificate bearing the name R.T.S. and a date of birth of \*\*-\*-1990. This application was signed with the name R.T.S.<sup>2</sup>

9. Due to suspected fraud, PEREZ never received the Minnesota state identification card he applied for in R.T.S.'s name. However, during the execution of a search warrant at PEREZ's residence, law enforcement discovered a fake Minnesota state identification card with R.T.S.'s name and date of birth and PEREZ's photograph. Several loose copies of the exact same photograph as found in the fake identification card were discovered near the identification card.

10. As part of the investigation HSI also obtained TJFF Form I-9 Employment Eligibility Verification paperwork. The Form I-9 is a record that employers are required to have on file for every employee, substantiating that the employee is legally allowed to work in the United States. TJFF Form I-9 records show R.T.S., Social Security Number \*\*\*-\*-6571, as an employee of TJFF, and included a copy of a Social Security card bearing the name R.T.S., number \*\*\*-\*-6571 and Minnesota identification card bearing the name R.T.S, date of birth \*\*-\*-1990.<sup>3</sup> This form was signed by a TJFF human resources employee on April 21, 2014.

---

<sup>2</sup> The surname was also misspelled on the signature line.

<sup>3</sup> While the I-9 form has the proper spelling of R.T.S.'s name, the social security card and Minnesota identification card both misspell the last name by beginning the last name with a "C" (which is the second letter of R.T.S.'s last name) instead of an "S." The appearance of the social security card suggests that there was an "S" at the beginning of the last name, but that the social security card was tampered with in some way to remove the "S."

11. As part of the investigation HSI obtained records from Minnesota Employment and Economic Development (MNDEED). According to MNDEED records, R.T.S. was a current employee of TJFF as of the most recent quarterly reporting cycle (second quarter 2014).

12. During the execution of a search warrant at TJFF on September 18, 2014, PEREZ was arrested by the Renville County Sheriff's Office. In a search incident to PEREZ's arrest, law enforcement discovered on PEREZ's person a paycheck from TJFF payable to R.T.S.

13. Upon receiving this information I began investigating the name R.T.S. and the personal identifying information cited above. I learned that the Social Security Administration Office of the Inspector General determined that Social Security Number \*\*\*-\*\*-6571 was issued to R.T.S. This is the same Social Security Number used by PEREZ, as described above.

14. HSI's interview of New Mexico resident R.T.S. confirmed the following information:

- a) R.T.S. was born in New Mexico on \*\* \*\*, 1990.
- b) R.T.S. has been assigned \*\*\*-\*\*-6571 by the Social Security Administration.
- c) R.T.S. has never lived in the state of Minnesota and never applied for a Minnesota state document of identity.

- d) R.T.S. has never worked for Triple J Family Farms (TJFF), never filled-out a Form I-9 Employment Eligibility Verification for TJFF, and never worked in the state of Minnesota.
- e) R.T.S. stated that a copy of his birth certificate, his social security card, and an ID card were stolen out of a backpack several weeks before the interview.

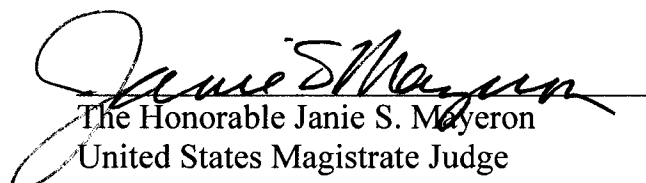
15. Based upon the facts stated in this affidavit, I believe that there is probable cause that the defendant, with intent to deceive and for the purposes of obtaining a Minnesota state identification card and obtaining employment under a false identity, falsely represented a number to be the social security account number assigned by the Commissioner of Social Security to his, when in fact such number is not the social security account number assigned by the Commissioner of Social Security to his, all in violation of Title 42 United States Code 408 (Social Security Fraud).

All statements contained in this affidavit are true and correct to the best of my knowledge.



Steven A. Sullivan  
Border Patrol Agent  
Task Force Officer  
Homeland Security Investigations

Sworn and subscribed before me this 5<sup>th</sup> day of November, 2014.



The Honorable Janie S. Mayeron  
United States Magistrate Judge